Scott. II.27—50,00

Home (1942) Department.

Ms. SERIES.

p-11 (E)

G.U. No. 829

Order on page 12

Dated 2nd March 1942

11

[Despatch Abstract.]

Criminal Tribes Act - Bellary district - Kudligi Taluk - Two Boyas of Suladahalli village - Application of sections 5 and 10 - Proposal not approved.

1

C.F. 32.

In reply, please quote number, date and short title.*

Ministerial DEPARTMENT.

Received *Registered* No. 34-A/42

From (Name) I.M. Fraser Esq., I.C.S.,

(Designation) District Magistrate

Post Box . (Station) Bellary

Telegraphic Address

To

The Secretary to Government,
Home Department, Madras.
Through the Inspector-General of Police, M a d r a s.
Ref. *No.* 1327/41 M, *dated* 3-1- 19 42

Sir,

Enclosures 2 Copies

Spare Copies

Criminal Tribes Act - Kudligi taluk - Suladahalli village - Hosahalli station - Registration of two Boyas - Proposals.

#3 infra

I enclose letter No. 600/41 dated 28-10-1941 received from the District Superintendent of Police, Bellary (in duplicate) recommending the registration of (1) Boya Oba (2) Boya Galli Linga and (3) Boya Guddadha Oba of Suladahalli village in the Kudligi taluk.

Word copy kept at the bottom

#7#9 infra

Statements 1 and 2 enclosed to this letter furnish the details regarding their residence, relationship and previous convictions.

#9 infra

2. In both the cases Boya Oba (No. 1 in the statement) was released on probation of good conduct for a period of one year, on a bond for Rs. 50/- with one surety for the same amount. I do not see any point in registering him under the Criminal Tribes Act as it amounts to taking away the chance given to him to reform himself. As regards Nos. 2 and 3 I recommend that the provisions of Section 3 and 10 of the Criminal Tribes Act may be enforced as they are proved to be addicted to crimes.

A

b

ibid

#3&4-5 of the C.T. Manual (Bk No 55 in Secy's Shelf)

3. Draft notifications in respect of these two Boyas (in duplicate) are enclosed for approval and publication. I request that the Government may be pleased to authorise me under Section 4 of the Act to register these persons.

For District Magistrate.

P.S. 5/1.

****

R.C.No.34-A/Statl./42.

Forwarded and recommended.

Office of the
Inspr.-Genl. of Police,
MADRAS, 19. January 1942.

for Inspr.-Genl. of Police.

To

The Secretary to the Government of Madras,
HOME DEPARTMENT.

UNDER SECRETARY TO GOVERNMENT
20 JAN 1942
HOME DEPT.

VR.17.1.

Home Dept.
Memo. No. 2534 G-1 dated 5-2-42
Criminal Tribes Act-Bellary district-Kudligi taluk-Two Boyas of Suladahalli village-Application of Sections 3 and 10-Notifications-
From the D.M, Bellary, Ref No. 1327/41 E1 dated 3-1-42.

The D.M, Bellary, is requested to forward copies of the judgments in the cases in which Boya Gallilinga and Boya Guddadha Obra were convicted.

KRP 2/2/42

To the D.M, Bellary

3

Copy of Rc.No.600/ID/41 dated 28th October 194' f the District Superintendent of Police,Bellary, to the Dist.Magistrate, Bellary.-

Sub: CT Act-Proposal for reigstration of certain Boyas of Suladahalli village of Hosahalli station limits of Harpanahalli circle-Recommended.

I forward herewith a proposal for the registration under C.T.Act(1) Boya Oba(2) Boya Galli Linga and (3) Boya Guddadah Oba of Suladahalli village of Hosahalli station limits of Harpanahalli circle.

All the three Boyas have had two convictions under section 457 and 380 IPC as detailed in statement II enclosed.

They are active Boyas with criminal propensities. In view of their systematic commission of non-bailable offences, it is essential that their movements are properly and effectively restricted to check their criminal activities.

As Boyas in this district have been declared under the CT Act individually by name, a fresh application to the Government is necessary for the registration of these Boyas.

Statements I and II with draft notification in triplicate under section 10 of the CT Act are enclosed for favour of obtaining necessary orders of Government.

S-

True Copy.

For Dist.Magistrate.

5

NOTIFICATION.

I

Whereas there is reason to believe that the undermentioned Boyas residing in the village of Suladahalli in Kudligi taluk of Bellary district, are addicted to the systematic commission of non-bailable offences, His Excellency the Governor of Madras, in exercise of the powers conferred on him by section 3 of the Criminal Tribes Act 1924 (VI of 1924.) hereby declares that the said persons form a Criminal tribe for the purpose of the said Act.

~~S.No~~	Name.	Father's name	Name of village.
~~(1)~~	~~Boya Oba~~	Kuntaiah	Suladahalli
(2)	Boya Galli Linga	Paraki Pariah	Do.
(3)	Boya Guddadha Oba	Obiah	Do.

II

Under section 10 of the Criminal Tribes Act, 1924 (VI of 1924), His Excellency the Governor of Madras hereby further directs that every registered member of the said Criminal tribe ~~of Boyas~~ shall report himself at such intervals as may be prescribed by the District Magistrate, Bellary, and shall also notify his place of residence and any change or intended change of residence and any absence or intended absence from residence.

BAG 29-1'

Dist. Supdt. of Police,
Bellary.

PARTICULARS OF PERSONS.

Statement No. I.

Serial No.	Name	Age.	Father's name	Village of residence.	Police station.	Relationship with the members registered already and with those in this list.
1.	Boya Oba	18	Kuntaiah	Suladahalli.	Hosahalli.	Nil.
2.	Boya Galli Linga	53	Pavaki Pamaiah	Do.	Do.	Nil.
3.	Boya Guddadha Oba	34	Obaiah	Do.	Do.	Nil.

I.

Dist. Supdt. of Police,
Bellary.

p3d/x

9-1

PARTICULARS OF CRIMINALITY. - Statement II.

S.No.	Name.	Convictions within last five years				Convictions more than five years ago.			
		Total no. of convictions in non-bailable cases (& sections under which convicted.	Sentences imposed with dates.	Cases of grave offences like robbery or dacoity	Whether convicted within 3 years after release or not.	No. of cases of suspicion after second imprisonment.	No. of convictions in non-bailable cases & sections under which convicted.	Sentences imposed with dates.	Remarks.
1.	Boya Oba	Two Sec. 457-380 IPC in Cr.No. 16/41 & 17/41 of Hosahalli	Released on probation of good conduct for a period of 1 year with 1 surety for Rs.100 (surety furnished) CC 480/30-8-41. Do. CC.481/30-8-41.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
2.	Boya Galli Linga	Do.	6 weeks RI & fine of Rs.5 for each section 457-380 IPC in default 1 week RI. Sentences to run concurrently.CC 480/30-8-41 Do. CC. 481/30-8-41.	Nil.		Nil.	Nil.	Nil.	Nil
3.	Boya Guddadha Oba	Do.	Do.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.

Dist. Supdt.of Police,
Bellary.

30/12

C.F. 32 (a).

In reply, please quote number, date and short title.*

Magisterial. DEPARTMENT.

Received 11 DEC 1942 Registered 050399

11/2/42

From (Name) I.M. Fraser, Esq., I.C.S.,

(Designation) District Magistrate,

Post Box ..... , (Station) Bellary.

Telegraphic Address .....

To

The Secretary to Government,
Home Department,
Madras.

Ref. C. No. 1327/41E1, dated 9-2-42. 193 .

Sir,

C.T. Act- Kudligi Taluk- Suladahalli village- Hosahalli station- Registration of two Boyas -

ENCLOSURES ..... 2 duplicate Government Memorandum No. 2534-G-1, dated 5-2-42.

SPARE COPIES (X) Judgments in C.C.Nos. 480 and 481 of 1941 on the file of the Stationary Sub-Magistrate, Kudligi in which Boya Galli Linga and Boya Guddada Oba ~~and~~ were convicted are submitted . They may be returned when they are no longer required .

A

For Dt. ~~Magistrate~~.

AK.9/2

12

Home Dept.

Criminal Tribes Act – Bellary district – Kudligi taluk – Two Boyas of Suladahalli village – Application of Sections 3 and 10 – Non-[illegible] Boyas (unapproved)

From the D.M, Bellary, Ref No. 1327/41 E-1 dated 3-1-42 ff 1-2 dated 9-2-42 p 1 and..

" D.G of Police, Re. No. 34-A/Stat/42 dated 19-1-42 p 2 ff

G.O.Ms.No. 829 dated 2-3-1942

The proposal of the D.M, Bellary, to apply Sections 3 and 10 of the C.T. Act to two Boyas, Gollilinga and Siddadha, Obs of Suladahalli village, Kudligi taluk and Bellary district, is not approved as there is insufficient proof of systematic commission of non-bailable offences against them by them

KRP 25/2/42

To the D.M, Bellary (with copies of 2 judgments) ⊗

Copy to the D.G of Police. ✓

A 1/3

Submit May be closed & put away

KRP 6/3/42

hv 7/3

HOME (G) DEPARTMENT

2534 G/42

Criminal Tribes Act - Bellary district - Kudligi taluk - Two Boyas of Suladahalli village - Application of sections 3 and 10

****

(i) From the D.M., Bellary, Ref. No.1327/41 E-1 dated 3-1-42.

(ii) From the I.G. of Police, R.C. No.34-A/Statl/42 dated 19-1-42.

The D.M., Bellary proposes the application of sections 3 and 10 of the C.T. Act to two Boyas, Galli Linga and Guddadha Oba of Suladahalli village in Kudligi taluk. Though the D.S.P., Bellary had suggested the application of the Act to Boya Oba also, the D.M. does not recommend it for the reasons stated at 'A' on page 1 c.f. The I.G. of Police has recommended the D.M's proposal.

2 The particulars of criminality of the two persons proposed to be brought under the C.T. Act are given at 'A' in the statement on page 9 c.f., from which it will be seen that both of them have been convicted under two sections in each of two cases on the same date, ~~He was serving~~ in each case which are ~~concurrent~~ sentences within the last five years, running concurrently.

For orders whether this may be regarded as "convicted twice" and ~~hence~~ coming within the ambit of the policy laid done at (P). If so, the draft below is approval.

KRP
26/1/42

hr
26/1

I don't see why not. The date of judgment was the same but surely not the date of offences or else there would have been only one case + two charges.

The sentences are very light, suggesting petty offences

Call for a copy of the judgments

(illegible)

items 2 & 3, p. 9 cf

X 14

Draft memo submitted on page 2cf (with refce to the Secy's orders on plante)

KRP 12/2/42

M 12/2

(Issued as Memo.No.2534 G-1 dated 5.2.42)

From the D.M.Bellary, Ref.C.No.1327/31 E1, dated 9.2.42 (5039G/42)

The copies of judgments forwarded by the D.M. are at (X) from which it will be seen that though the dates of the offences and judgments were the same, they were treated as separate cases as apparently they referred to housebreaking and theft in two different ~~places~~ ... The date of the offence is given as 21.6.41 in the judgment in C.C.481/41; from the calendar, however, it is observed that the date was 29.6.41 which is the same date as in C.C.No.480/41.

For orders.

KRP 16/2/42

M 16/2

I have called this only one conviction (two offences) on the same day, and I doubt whether there is sufficient ground for these men to justify their registration.

A3

15 B

There is no specific proof of systematic communication of non-bailable offences. They may be any bailable offence committed by two officers on the same night in their own village. Hence the conduct of criminal house trespass requires to be reported.

Papers with Secretary.

Illegible
24/2

TRY
FEB 24 1942
MADRAS

A draft order is submitted on page 12 c.f.

KRP
25/2/42

25/2